

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CASE NO.: 00-6309-CR-DIMITROULEAS (s)(s)

MARK WEISS,

Defendant.

Magistrate Judge Garber

**DEFENDANT'S MOTION TO FILE
OBJECTIONS TO THE PSI OUT OF TIME**

COMES NOW the Defendant MARK WEISS by and through his undersigned counsel and moves this Court to enter an order allowing him to file his objections to the Presentence Investigation Report (hereinafter "PSI") out of time and as grounds therefore would state as follows:

1. That on May 17, 2002, this Defendant pled guilty to one of the objects contained in Count 14 of the second superseding indictment which generally charged him with conspiracy to engage in monetary transactions in property derived from unspecified unlawful activity.
2. That currently, sentencing is set in this matter for **Friday, July 26, 2002** at 8:45 a.m. in Ft. Lauderdale.
3. Though the original PSI was purported to have been forwarded on June 25, counsel for the defendant did not receive a copy.
4. After speaking with the probation officer, it was determined that a revised PSI was being prepared and that was received on Wednesday, July 17, 2002. One day

later, objections thereto were forward to the court and the parties.

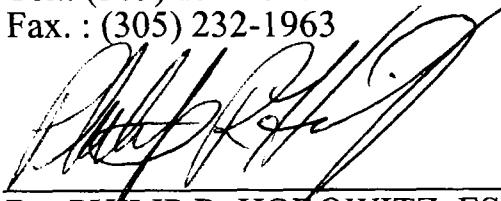
5. Counsel is aware that pursuant to Administrative Orders 95-02 and 90-26 that these objections are being filed out of time but there is no prejudice to the government in that the lone objection filed as to the failure to afford the defendant a three level role reduction has been agreed to by the parties within the plea agreement but not adopted by the probation officer.

WHEREFORE, the Defendant MARK WEISS respectfully requests that this Court enter an order permitting his to file his objections to the PSI out of time.

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this 18th day of July 2002 to: J. BRIAN MCCORMICK, ESQUIRE, Assistant United States Attorney, 500 East Broward Boulevard, Suite #700, Ft. Lauderdale, Florida 33301 and to MR. MICHAEL SANTUCCI, United States Probation Officer, 299 East Broward Boulevard, Suite #409, Ft. Lauderdale, Florida 33301.

Respectfully submitted,

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By: PHILIP R. HOROWITZ, ESQUIRE
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